

RESOLUTION NO. 08-04-06

WHEREAS, this Board has adopted environmental protection policies; and

WHEREAS, this Board adopted Resolution No. 04-09-08 setting a District core value of 99 percent overall availability for its transmission assets in meeting customer energy requirements; and

WHEREAS, the **Sacramento Area Voltage Support Project (Project)** is needed to maintain the transmission system voltage stability, reliability, and security of transmission lines in accordance with the North American Electric Reliability Corporation (NERC) and the Western Electricity Coordinating Council (WECC) Planning/Operations Reliability Standards; and

WHEREAS, the **Project** consists of the Western Area Power Administration (**Western**) constructing an operating approximately 31 to 38 miles of new double-circuit, 230-kilovolt (kV) overhead transmission line between **Western's** O'Banion substation and the area just south of the District's Elverta substation and reconstructing the District's existing 230-kV/115-kV transmission line between the District's Elverta and Natomas substations, in three (3) segments that span Sutter, Sacramento, and Placer counties; and

WHEREAS, the District and **Western** prepared a joint Sacramento Area Voltage Support (**SVS**) Supplemental Environmental Impact Statement (**SEIS**) and Environmental Impact Report (**EIR**) for the **Project**, which included in the **Project's** design Environmental Protection Measures (EPMs) as part of the **Mitigation Monitoring Report Plan**, for the **Project**; and

WHEREAS, a **Notice of Preparation (NOP)** of a **Draft SEIS and EIR**, dated **May 17, 2006**, was issued and circulated in accordance with the **California Environmental Quality Act (CEQA)** for public review and comment for a period of at least thirty (30) days; and

WHEREAS, the **Notice of Availability (NOA)** of the **Draft SEIS and EIR** was published in newspapers of general circulation, distributed to all property owners of record identified by the County's Assessor's office within 500 feet of the **Project** boundaries and to additional parties who attended prior public meetings, identifying where the **Draft SEIS and EIR** was available for public review and inviting interested parties to attend two public comment forums, one on **August 7, 2007**, in Roseville, and one on **August 8, 2007**, in Sacramento, with members of the public attending said meeting; and the **Draft SEIS and EIR** for the **Project** was released for circulation on **July 17, 2007**, to interested persons, organizations and public agencies for a forty-five (45) day public review period, inviting public comment, with said public review period closing **August 27, 2007**; and

WHEREAS, the District publicly noticed and held public forum meetings on **August 7 and 8, 2007**, regarding the **Project**, and all interested persons were given an opportunity to comment; and

WHEREAS, all written or oral comments received during the public review period have been responded to as necessary and incorporated into the **Initial Study, Final Re-Issued SVS SEIS and EIR**, and the **Mitigation Monitoring Report Plan**, for the **Project**, as appropriate; and

WHEREAS, the responses to public comments as set forth in the **Final Re-issued SEIS and EIR** for the **Project** were provided to the public agencies making such comments at least ten (10) days before this Board considered certification of the **Final Re-issued SEIS and EIR** for the **Project**; and

WHEREAS, notice of two public hearings at the District Headquarters to be held on **April 2, and 3, 2008**, was duly published, the hearings held at the aforementioned time and place, and all interested persons were given an opportunity to comment and submit testimony; and

WHEREAS, based on the comments and testimony received from interested persons at the **April 2, and 3, 2008**, hearings, this Board continued consideration of the **Project** to the next regularly schedule Board meeting of **April 17, 2008**, at the District Headquarters, notice of the continuation of the hearing was duly published, the hearing held at the aforementioned time and place, and all interested persons were given an opportunity to comment and submit testimony; and

WHEREAS, it is in the best interest of the District and its ratepayers to approve the **Project**; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. This Board certifies that the **Draft and Final Re-Issued SEIS and EIR**, including the **Mitigation Monitoring Report Plan**, for the **Project** have been completed in compliance with **CEQA** and the State Guidelines for implementation of **CEQA**, that this Board has reviewed and

considered the information contained in the **Draft and Final Re-Issued SEIS and EIR** together with the comments received during the public review period and thereafter, and that the **Draft and Final Re-Issued SEIS and EIR**, and findings associated therewith reflect the independent judgment of this Board.

Section 2. This Board finds, on the basis of the **Draft and Final Re-Issued SEIS and EIR** and comments received, that there is substantial evidence that the **Project** may have potential significant effects on air quality in that the **Project** would cause short-term pollutant emissions related to vehicle exhaust and particulates generated by soil-disturbing activities during construction and maintenance (see discussion at pages ES-10 to ES-11, 3-23, and 4-2 to 4-11 of the **Draft SEIS and EIR**; Response No. A.2-6 to the U.S. Environmental Protection Agency comment at page 2-3, Response No. A.9-1 to the Sacramento Metropolitan Air Quality Management District comment at page 2-10, Response No. C.8-2 to the Regional University Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comment at page 2-19, Response No. C.9-3 to the Richland Planned Communities comment at page 2-21, and Response No. C.10-2 to the Sierra Vista Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comment at page 2-21, of the **Final Re-Issued SEIS and EIR**), that the mitigation measures set forth on pages E-2 to E-4 in Appendix E – **Mitigation Monitoring Report Plan** of the **Draft SEIS and EIR** and pages C-1 to C-2 in Appendix C – Environmental Protection Measures and Monitoring Summary of the **Final Re-Issued SEIS and EIR**, shall be

incorporated into the **Project** as conditions of approval of the **Project**, said measures mitigate the significant effect of the **Project** on air quality to less than significant levels.

Section 3. This Board finds, on the basis of the **Final** EIR and comments received, that there is substantial evidence that the **Project** may have potential significant effects on biological resources in areas of designated critical habitat, essential fish habitat, special-status wildlife and plants, sensitive habitat types, as well as non-threatened or endangered species and habitat that may occur or exist with the **Project** area (see discussion at pages ES-10 to ES-11, 3-24 to 3-27, and 4-12 to 4-27 of the **Draft SEIS and EIR**; and Response Nos. A.2-1, A.2-3 to A.2-5 to the U.S. Environmental Protection Agency comments at pages 2-2 to 2-3, Response Nos. A.3-3 to A.3-6 and A.3-8 to A.3-19 to the U.S. Fish and Wildlife Service/California Department of Fish and Game comments at pages 2-4 to 2-7, Response Nos. A.4-1 to A.4-9 to the California Department of Fish and Game comments at pages 2-7 to 2-9, Response Nos. C.7-1, C.7-3, C.7-8 to C.7-9 to The Natomas Basin Conservancy comments at pages 2-17 to 2-19, Response No. C.5-2 to Lechan Land Corporation comment at page 2-15, Response No. C.8-7 to the Regional University Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comment at page 2-20, Response Nos. C.10-1 and C.10-11 to the Sierra Vista Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comments at pages 2-21 to 2-22, Response No. I.3-1 to Melvin Borgman comment at page 2-24), that the mitigation measures set forth

on pages E-4 to E-16 in Appendix E – **Mitigation Monitoring Report Plan** of the **Draft SEIS and EIR** and pages C-3 to C-10, an C-17 in Appendix C – Environmental Protection Measures and Monitoring Summary of the **Final Re-Issued SEIS and EIR**, shall be incorporated into the **Project** as conditions of approval of the **Project**, said measures mitigate the significant effect of the **Project** on biological resources to less than significant levels.

Section 4. This Board finds, on the basis of the **Draft and Final Re-Issued SEIS and EIR** and comments received, that there is substantial evidence that the **Project** may have potential significant effects on land use in that certain land uses are susceptible to disturbances resulting from either construction or operation of the **Project**, including the reduction of developable acreage, interference or cessation of development, conflicts with existing and proposed land use plans, impacts to farming operations, and the removal of prime and unique farmland from production (see discussion at pages ES-10 and ES-13, 3-29, and 4-55 to 4-73 of the **Draft SEIS and EIR**; Response No. A.7-1 to the Department of Water Resources comments at pages 2-9 to 2-10, Response Nos. A.8-1 to A.8-2 to the County of Placer comments at page 2-10, Response No. A.11-1 to the City of Roseville comment at page 2-10, Response No. C.1-1 to the Brookfield California Land Holdings, LLC comment at page 2-11, Response No. C.3-1 to the CEEL Land Corporation comment at page 2-12, Response Nos. C.4-3, C.4-6 to C.4-8, C.4-10, to C.4-16, and C.4-18 to Diepenbrock Harrison on behalf of Brookfield California Land Company comments at pages 2-12 to 2-15, Response No. C.5-1 to Lechan Land

Corporation comment at page 2-15, Response Nos. C.6-1 to C.6-3, C.6-5 to C.6-6 to George M. Carpenter, Jr., Attorney at Law, on behalf of the Measure M Owner's Group comments at pages 2-15 to 2-17, Response Nos. C.8-3 to C.8-4 to the Regional University Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comments at pages 2-19 to 2-20, Response No. C.9-5 to the Richland Planned Communities comment at page 2-21, Response Nos. C.10-5 and C.10-8 to the Sierra Vista Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comments at page 2-22, Response No. C.11-1 to The Yekum Lim & Inok Lim Revocable Trust comment at pages 2-22 to 2-23, Response Nos. I.1-2 to I.1-4 to Kevin Kemper, Law Offices of George E. Phillips, on behalf of Joan Allen and Sharon Musto comments at page 2-23, Response No. I.3-1 to Melvin Borgman comment at page 2-24, Response No. I.5-10 to Charlotte Borgman on behalf of C. Morrison Ranch comment at page 2-27, Response Nos. I.6-1 and I.6-2 to Warren Chang on behalf of John and Grace Chang comments at page 2-27, Response No. I.7-2 to James Crabtree comment at page 2-28, Response No. I.8-1 to Richard L. Driggs comment at page 2-28, Response No. I.14-4 to James L. Kouretas on behalf of Kouretas Properties comment at page 2-30, and Response Nos. PF.4-7 to PF.4-8, and PF.4-10 to John Norman comments at page 2-37) that the mitigation measures set forth on pages E-20 to E-21 in Appendix E – **Mitigation Monitoring Report Plan** of the **Draft SEIS and EIR** and pages C-13 to C-15 in Appendix C – Environmental Protection Measures and Monitoring Summary of the **Final Re-Issued SEIS and EIR**, shall be


incorporated into the **Project** as conditions of approval of the **Project**, said measures mitigate the significant effect of the **Project** on land use to less than significant levels.

Section 5. This Board finds, on the basis of the **Draft and Final Re-Issued SEIS and EIR** and comments received, that there is substantial evidence that the **Project** may have potential significant effects on traffic and transportation resources in that traffic disruption and congestion would occur during the construction phase of the **Project** and the affect of the **Project** on planned transportation corridors (see discussion at pages ES-10 and ES-14, 3-28 and 3-30, and 4-86 to 4-92 of the **Draft SEIS and EIR**; Response Nos. A.5-1 to A.5-3 and A.6-1 to A.6-2 to the California Department of Transportation comments at page 2-9, Response No. C.6-4 to George M. Carpenter, Jr., Attorney at Law on behalf of the Measure M Owner's Group comment at page 2-16, Response No. C.8-6 to the Regional University Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comment at page 2-20, Response No. C.9-4 to the Richland Planned Communities comment at page 2-21, Response No. C.10-9 to the Sierra Vista Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comment at page 2-22, Response No. I.3-5 to Melvin Borgman comment at page 2-24, Response No. I.5-2 to Charlotte Borgman on behalf of C. Morrison Ranch comment at page 2-26, Response No. I.6-4 to Warren Chang on behalf of John and Grace Chang comment at page 2-27, Response No. I.20-5 to LaVerne and Molly Scheidel comment at page 2-32, and

Response No. PF.4-6 to John Norman comment at page 2-37) that the mitigation measures set forth on page E-24 in Appendix E – **Mitigation Monitoring Report Plan** of the **Draft SEIS and EIR** and pages C-16 to C-17 in Appendix C – Environmental Protection Measures and Monitoring Summary of the **Final Re-Issued SEIS and EIR**, shall be incorporated into the **Project** as conditions of approval of the **Project**, said measures mitigate the significant effect of the **Project** on traffic and transportation to less than significant levels.

Section 6. This Board finds, on the basis of the **Draft and Final Re-Issued SEIS and EIR** and comments received, that there is substantial evidence that the **Project** may have potential significant effects on visual resources in that the **Project** has the potential effects on landscapes of high visual quality, altering the existing landscape, and altering existing sensitive viewsheds from residential receptors and key viewpoints (see discussion at pages ES-10 and ES-15, 3-30, and 4-92 to 4-100 of the **Draft SEIS and EIR**; Response No. A11-1 to the City of Roseville comment at pages 2-10 to 2-11, Response No. C.3-1 to CEEL Land Corporation comment at page 2-12, Response Nos. C.4-5, C.4-9, C.4-11, and C.4-14 to the Diepenbrock Harrison on behalf of Brookfield California Land Company comments at pages 2-13 to 2-14, Response No. C.5-2 to Lechan Land Corporation comment at page 2-15, Response No. C.9-1 to the Richland Planned Communities comment at page 2-20, Response Nos. C.10-6 and C.10-10 to the Sierra Vista Specific Plan (represented by Megan M. Quinn, attorney with Remy, Thomas, Moose, and Manley, LLP) comments at page 2-22, Response No. C.11-1 to The Yekum Lim

& Inok Lim Revocable Trust comment at pages 2-22 to 2-23, Response Nos. I.3-1 and I.3-3 to Melvin Borgman comments at page 2-24, Response No. I.5-1 to Charlotte Borgman on behalf of C. Morrison Ranch comment at page 2-26, Response No. I.6-3 to Warren Chang on behalf of John and Grace Chang comment at page 2-27, Response No. I.9-2 to Warren Jean Frederick comment at page 2-27, Response No. I.11-2 to Richard G. Hendrix comment at page 2-29, Response No. I.13-4 to Haesun Koo comment at page 2-30, Response No. I.15-2 to Warren Chang on behalf of Sung Woo and Hyun Joo Lee comment at page 2-31, Response No. I.20-3 to LaVerne and Molly Scheidel comment at page 2-32, Response No. PF.3-17 to Robert Wallace comment at page 2-36, and Response No. PF.4-9 to John Norman comment at page 2-37) that the mitigation measures set forth on page E-24 in Appendix E – **Mitigation Monitoring Report Plan** of the **Draft SEIS and EIR** and page C-17 in Appendix C – Environmental Protection Measures and Monitoring Summary of the **Final Re-Issued SEIS and EIR**, shall be incorporated into the **Project** as conditions of approval of the **Project**, said measures mitigate the significant effect of the **Project** on visual resources to less than significant levels.

Section 7. In compliance with **CEQA**, this Board adopts the **Mitigation Monitoring Report Plan** for the **Project** substantially in the form set forth in **Attachment**  (pages E-1 to E-25 in Appendix E – **Mitigation Monitoring Report Plan** of the **Draft SEIS and EIR** and as modified by pages C-1 to C-18 in Appendix C – Environmental Protection Measures and Monitoring Summary of the **Final Re-Issued SEIS and EIR**).

Section 8. Based on the **Draft and Final Re-Issued SEIS and EIR**, comments received, and the findings made by this Board, this Board certifies and adopts the **Final Re-Issued SEIS and EIR**, as set forth in **Attachment** [REDACTED] hereto, and approves the **Project**. The Secretary is directed to file with the County Clerks of Sutter, Sacramento, and Placer counties a Notice of Determination, which shall set forth the information required by **CEQA**.

Adopted: April 17, 2008

INTRODUCED BY DIRECTOR TAYLOR				
SECONDED BY DIRECTOR SLATON				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
CARR	X			
POSNER				X
TAYLOR	X			
PATTERSON		X		
SHIROMA	X			
KEAT	X			
SLATON	X			